

REMARKS

Claims 40-71 are pending in the instant application. Claims 40, 43, 50, 55, 56, and 62 have been amended. Claims 42, 44, 54, 64, and 66 have been cancelled. The Applicant submits that claims 40, 41, 43, 45-53, 55-63, 65, and 67-71 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Claim Rejections Under 35 USC §103

In the Final Office Action mailed March 30, 2004, the Examiner rejected claims 40, 45-50, 57-62, and 67-71 as being allegedly unpatentable over Ferriter et al. in view of Ensel et al. In addition, claims 41-44, 51-56, and 63-66 were rejected as being allegedly unpatentable over Ferriter et al. and Ensel et al. as applied to claims 40, 50, and 62, and further in view of Aycock et al.

An Appeal Brief was filed by the Applicant on October 18, 2006, and a Decision on Appeal was rendered on February 23, 2010 and mailed to Applicant on February 25, 2010. While the Examiner's rejections were affirmed-in-part, the Appeal Board indicated that the decision by the Examiner to reject claims 44, 54, 55, and 66 was in error and reversed the decision on Final to reject these claims. Interdependencies of these claims provide that claim 44 depends from claim 42, and claim 66 depends on claim 64.

In response to the Decision on Appeal, the Applicant has amended independent claims 40, 50, and 62 to incorporate the features of claims 42, 44, 54, 64, and 66, respectively. Claims 43, 55, and 56 have been amended to correct antecedent issues resulting from the cancellation of claims 42 and 54, respectively. Thus, no new matter has been entered.

Claims 40, 41, 43, 45-53, 55-63, 65, and 67-71 are believed to be allowable over the cited art references. The Applicant submits the aforementioned claim amendments place the application in condition for allowance. Early notification to this effect is respectfully requested.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Final Office Action and that the claims herein should now be allowable to Applicant. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-0510

Respectfully submitted,

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